

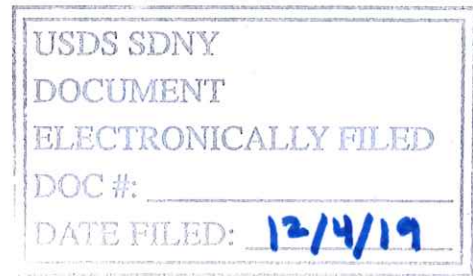
UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

-v-

DAMIAN CUNNINGHAM,

Defendant.



No. S4 12-cr-45-7 (RJS)
ORDER

RICHARD J. SULLIVAN, Circuit Judge:

The Court is in receipt of a letter from Defendant, received in chambers on December 2, 2019, asking the Court to reconsider its November 4, 2019 order denying, without prejudice, Defendant's request for re-computation of his "Home Detention Eligibility Date" under the First Step Act. The Court denied the request because Defendant had not exhausted his administrative remedies. Defendant's new letter does not indicate that his administrative remedies have now been exhausted. Accordingly, Defendant's request is DENIED without prejudice to renewal after he has exhausted his administrative remedies.

The Clerk of Court is respectfully directed to mail a copy of this order to Defendant.

SO ORDERED.

Dated: December 4, 2019
New York, New York



RICHARD J. SULLIVAN
UNITED STATES CIRCUIT JUDGE
Sitting by Designation